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Social and human rights questions: implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

Report of the Secretary-General

Summary

By its resolution 48/91 of 20 December 1993, the General Assembly proclaimed the Third Decade to Combat Racism and Racial Discrimination (1993-2003), and adopted the Programme of Action for the Decade.

In its resolution 49/146 of 23 December 1994, the General Assembly adopted the revised Programme of Action and requested the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination.

The present report has been prepared in response to the request of the General Assembly and in pursuance of its resolution 52/111 of 12 December 1997. It contains information on the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held not later than the year 2001, as well as information received from the United Nations High Commissioner for Human Rights on the activities undertaken or envisaged by Governments and intergovernmental and non-governmental organizations within the framework of the Third Decade.

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I. Implementation of the Programme of Action within the United Nations system

A. Commission on Human Rights

1. At its fifty-fourth session, the Commission on Human Rights discussed the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination. In its resolution 1998/26, section II, the Commission regretted the continued lack of interest, support and financial resources for the Decade and that very few of the activities planned for the period 1994-1997 were carried out.[1]

2. The Commission recognized the laudable and generous efforts by donors that had made contributions to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, but felt that those financial contributions had proved inadequate and that the General Assembly should consider all ways and means of financing the Programme of Action, including through the United Nations regular budget.

3. The Commission regretted that a detailed report on the financial and personnel resources required for the implementation of the Programme of Action for the Decade was not presented at the fifty-second session of the General Assembly and urged the Secretary-General to submit the said report to the Assembly at its fifty-third session.

4. The Commission reiterated its request to the United Nations High Commissioner for Human Rights to take duly into account the repeated appeals of the General Assembly and the Economic and Social Council for the establishment of a mechanism within the Office of the High Commissioner as a focal point for coordinating all the activities of the Third Decade.

5. The Commission called upon all Governments, United Nations bodies, the specialized agencies and intergovernmental organizations, as well as interested non-governmental organizations, to contribute fully to the effective implementation of the Programme of Action for the Third Decade.

6. It recommended that States give priority to education as a principal means of preventing and eradicating racism and racial discrimination and of creating awareness of the principles of human rights, particularly among young people, and to the training of law enforcement personnel, *inter alia*, through the promotion of tolerance and respect for cultural diversity.

World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

7. The General Assembly, by its resolution 52/111, section II, decided to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance not later than the year 2001. It also decided:

(a) That when the agenda of the World Conference was decided upon, the need to address in a comprehensive manner all forms of racism, racial discrimination, xenophobia and related contemporary forms of intolerance would be taken into consideration;

(b) That the World Conference would be action-oriented and focus on practical measures to eradicate racism, including measures of prevention, education and protection and the provision of effective remedies, taking into full consideration the existing human rights instruments;

(c) That the Commission on Human Rights would act as the preparatory committee for the World Conference and that its deliberations should be open-ended, allowing for the full participation of all States Members of the United Nations, members of the specialized agencies and observers, in accordance with established practice.

8. The General Assembly requested Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and other human rights mechanisms to assist the preparatory committee, to undertake reviews and submit recommendations concerning the World Conference and the preparations therefor to the preparatory committee through the Secretary-General and to participate actively in the Conference.

9. The General Assembly called upon States and regional organizations to hold national or regional meetings or to take other initiatives in preparation for the World Conference, and requested the regional preparatory meetings to submit reports to the preparatory committee on the outcome of their deliberations, including practical and action-oriented recommendations to combat racism, racial discrimination, xenophobia and related intolerance.

10. The General Assembly decided that the World Conference would be conducted effectively and efficiently and that its size, duration and other cost factors should be determined with due regard for economy.

11. At its fifty-fourth session, the Commission on Human Rights adopted resolution 1998/26, in section VI of which it, *inter alia*:

(a) Took note of the decision of the Fifth Committee of the General Assembly that the preparatory process for the World Conference would include preparatory committee meetings for a period of five working days each immediately prior to the session of the Commission on Human Rights in the years 2000 and 2001;

(b) Decided to create an open-ended working group of the Commission to meet during the fifty-fifth session in order to review and formulate proposals for consideration by the Commission and possible forwarding to the preparatory committee at its first session;

(c) Recommended to the General Assembly to request the Secretary-General to designate the United Nations High Commissioner for Human Rights as Secretary-General of the World Conference, who, in that capacity, would assume the main responsibility for the preparations for the Conference;

(d) Invited the Secretary-General of the World Conference to carry out consultations with States aimed at determining the date and venue for the Conference;

(e) Urged the United Nations High Commissioner for Human Rights to help States and regional organizations to convene national and regional meetings or undertake other initiatives, including at the expert level, to prepare for the World Conference;

(f) Invited non-governmental organizations to participate fully in the preparatory process, and, in accordance with the objectives of the Conference and based on their experience, to make concrete proposals regarding actions to be undertaken in future, aimed at the fight against the scourge of racism, and to submit their recommendations to the preparatory committee through the High Commissioner;

(g) Invited the Committee on the Elimination of Racial Discrimination, the Subcommission on Prevention of Discrimination and Protection of Minorities and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to participate in the preparatory process and to contribute to the work of the preparatory committee, by undertaking studies and identifying major issues to be considered within the framework of the objectives of the Conference;

(h) Invited the relevant bodies and mechanisms of the United Nations, the specialized agencies and regional and international organizations to contribute effectively to the preparatory process for the Conference;

(i) Invited the United Nations High Commissioner for Human Rights to submit to the Commission at its fifty-fifth session, within existing financial resources, a preliminary analytical study on the objectives of the World Conference as identified by the General Assembly, and to inform the preparatory committee of the steps taken to prepare for the World Conference;

(j) Recommended that the activities of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination be focused towards the preparatory process for the World Conference and that the United Nations High Commissioner for Human Rights organize symposiums, seminars and worldwide consultations in 1998, 1999, 2000 and 2001 on racism;

(k) Recommended to the General Assembly to declare the year 2001 a year of mobilization against racism, racial discrimination, xenophobia and related intolerance aimed at drawing the world's attention to the objectives of the World Conference.[1]

B. Subcommission on Prevention of Discrimination and Protection of Minorities

12. At its forty-ninth session, held from 4 to 29 August 1997, the Subcommission on Prevention of Discrimination and Protection of Minorities adopted resolution 1997/5, in which it expressed its full support for the convening of a world conference to combat racism and racial discrimination, and confirmed its readiness to contribute actively at every stage of the preparations for the conference (see E/CN.4/1998/2).

13. The Subcommission expressed its conviction that the convening of a third world conference on racism in the near future would be an important opportunity for developing comprehensive and action-oriented strategies to combat racism and racial discrimination. It also believed that the world conference on racism should carefully consider the complicated interplay of discrimination based on race and discrimination based on other grounds, such as gender.

14. Expressing its gratitude to the Committee on the Elimination of Racial Discrimination for recommending future Subcommission studies (see E/CN.4/Sub.2/1997/31) that could usefully contribute to the work of the Committee, the Subcommission proposed to hold in 1998, jointly with

the Committee, an expert seminar that would explore in depth the issues put forward by the Committee.

15. At its fifty-fourth session, the Commission on Human Rights invited the Subcommission on Prevention of Discrimination and Protection of Minorities to carry out studies without delay, within the framework of the objectives of the world conference on racism laid down in General Assembly resolution 52/111, and to transmit its recommendations to the Commission at its fifty-fifth session and to the preparatory committee.

C. Committee on the Elimination of Racial Discrimination

16. At its fifty-second session, held from 2 to 20 March 1998, the Committee on the Elimination of Racial Discrimination discussed the question of the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.[2] The General Assembly, in its resolution 52/111, section II, requested, *inter alia* the Committee, together with other United Nations bodies and human rights mechanisms, to assist the preparatory committee for the World Conference, and to undertake reviews and submit recommendations concerning the Conference and the preparations therefor to the preparatory committee through the Secretary-General and to participate actively in the Conference.

17. The Committee on the Elimination of Racial Discrimination established a three-member contact group, consisting of Mr. Ivan Garvalov (Bulgaria) as Chairman, and Ms. Gay McDougall (United States of America) and Mr. Mario Yutzis (Argentina), to initiate contacts and discuss with the Commission on Human Rights, as well as with the Office of the United Nations High Commissioner for Human Rights, the role and input the Committee was prepared to make in assisting the Commission on Human Rights, as the preparatory committee for the World Conference.

18. The Committee on the Elimination of Racial Discrimination could make a concrete contribution in identifying substantive issues for the agenda of the World Conference, in conducting research and in preparing studies on certain factors leading to racial discrimination, which would help the Conference arrive at action-oriented recommendations.

19. The Commission on Human Rights, in its resolution 1998/26, section VI, invited the Committee on the Elimination of Racial Discrimination to give high priority to the preparatory process for the World Conference and to present to the Commission at its fifty-fifth session and to the preparatory committee its contribution to the objectives of the Conference, including undertaking a series of studies, and to participate actively in the preparatory process and at the Conference itself.

20. At its fifty-first session, the Committee on the Elimination of Racial Discrimination took note of the progress made on the joint working paper on article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination.[3] That paper was being prepared jointly by two members of the Committee, Mr. Ivan Garvalov and Mrs. Shanti Sadiq Ali, and two members of the Subcommission on Prevention of Discrimination and Protection of Minorities, Mr. José Bengoa and Mr. Mustafa Mehedi, pursuant to Subcommission decision 1996/120. The Committee expressed its appreciation to Mr. Garvalov and Mrs. Sadiq Ali, who had prepared preliminary contributions for consideration by the four experts. Those efforts had significantly advanced the work of the four experts and laid the basis for the joint paper to be completed and submitted in August 1998 to both the Committee and the Subcommission.

D. International Day for the Elimination of Racial Discrimination

21. The commemoration of the International Day for the Elimination of Racial Discrimination was organized on 20 March 1998 at the United Nations Office at Geneva by the United Nations High Commissioner for Human Rights, in cooperation with the United Nations Information Service. The theme chosen to mark the event was "Action against racial discrimination within the framework of the fiftieth anniversary of the Universal Declaration of Human Rights and the five-year review of the Vienna Declaration and Programme of Action".

22. The round-table discussion was chaired by Mrs. Mary Robinson, United Nations High Commissioner for Human Rights. The members of the panel were Mr. Vladimir Petrovsky, Director-General of the United Nations Office at Geneva, who read the message of the Secretary-General; Mr. Jacob Selebi, Permanent Representative of South Africa to the United Nations Office at Geneva and Chairman of the Commission on Human Rights at its fifty-fourth session; Mr. Luis Gallegos Chiriboga, Permanent Representative of Ecuador to the United Nations Office at Geneva; Mr. Christian Strohal, Permanent Representative of Austria to the Commission on Human Rights at its fifty-fourth session; Mr. Chul Ki Ju, Acting Permanent Representative

of the Republic of Korea to the United Nations Office at Geneva; Mr. Ion Diaconu, Vice-Chairman of the Committee on the Elimination of Racial Discrimination; and Mr. Patrick Taran, Secretary for Migration of the World Council of Churches and Chairman of the International Migrants Rights' Committee.

23. The round table was attended by representatives of the diplomatic community, as well as of non-governmental organizations participating in the fifty-fourth session of the Commission on Human Rights.

E. Activities undertaken by the Office of the United Nations High Commissioner for Human Rights

24. The Office of the United Nations High Commissioner for Human Rights organized an expert seminar at the United Nations Office at Geneva from 10 to 14 November 1997 on the role of the Internet in the light of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination. The purpose of the seminar was to find ways and means to ensure responsible use of the Internet. The following topics were discussed on the basis of background papers prepared by experts: racism and racial discrimination on the Internet; prohibition of racist propaganda on the Internet: juridical aspects, national as well as international measures; technical aspect of screening racist propaganda on the Internet, national and international measures; and elements relating to conduct and good practice for Internet-based materials.

25. In its conclusions, the seminar expressed deep regret and strong condemnation for the Internet being used by some groups and persons to promote racist propaganda and hate speech in violation of international law. In its final remarks, the seminar recommended that States Members of the United Nations continue their cooperation and establish international juridical measures in compliance with their obligations under international law, especially the International Convention on the Elimination of All Forms of Racial Discrimination, to prohibit racism on the Internet while respecting individual rights such as freedom of speech. This would be an important contribution to the preparations for the World Conference (see E/CN.4/1998/77/Add.2).

26. The establishment of a mechanism within the Office of the United Nations High Commissioner for Human Rights as a focal point for coordinating all the activities of the Third Decade to Combat Racism and Racial Discrimination was the subject of numerous requests contained in resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights.

27. Within the framework of the new structure of the Office of the United Nations High Commissioner for Human Rights, a Racism Project Team was established in March 1998 to coordinate all activities related to racism and racial discrimination undertaken by the Office of the High Commissioner.

28. The Racism Project Team will promote liaison with other United Nations departments, programmes and agencies. It will also exchange information with Member States and intergovernmental and non-governmental organizations. It will take responsibility for information and research activities in the field of racism and racial discrimination, as well as for meetings, seminars and other projects. The Racism Project Team is composed of a team leader and a core group of three staff members (one staff member from each of the three branches of the Office of the High Commissioner).

F. Information received from United Nations programmes and specialized agencies

1. Office of the United Nations High Commissioner for Refugees

29. The Office of the United Nations High Commissioner for Refugees (UNHCR) is concerned about racism, racial discrimination and xenophobia, especially from two points of view. First, ethnic and racial persecution is a major cause of refugee flight. Secondly, it is well documented that refugees and asylum seekers are often the targeted victims of xenophobic and racist attacks. Indeed, such violence has increased in some areas during the 1990s. One aspect of the role of UNHCR in the protection of asylum seekers and refugees is to shield them from exposure to manifestations of racism and xenophobia in the country of asylum. Because of this dual impact, UNHCR believes that a comprehensive approach is needed in dealing with racism, racial discrimination, xenophobia and related intolerance affecting refugees and asylum seekers. UNHCR also acknowledges that the convening of a world conference to assess the problems of racism, racial discrimination, xenophobia and related intolerance, to assess progress made in the past few decades, and to look for innovative and effective means of fighting them, is a worthy initiative. In the light of the need for a comprehensive approach, the World Conference will offer an opportunity to bring together various actors whose efforts need to be coordinated in an effective plan of action.

The elimination of racism is instrumental in securing basic human rights for asylum seekers and refugees, and UNHCR is pleased to see the issue given a higher profile by the convening of the Conference.

2. International Research and Training Institute for the Advancement of Women

30. The International Research and Training Institute for the Advancement of Women (INSTRAW) reiterated the need to combat racism and racial discrimination and emphasized the appropriateness of convening a world conference in order to sensitize the various parties involved and formulate recommendations to cease any form of intolerance towards the full respect of human rights. Furthermore, INSTRAW strongly recommended that in preparing the agenda of the World Conference, the possibility of including an item on the double discrimination faced by many women worldwide, owing to their gender as well as their race, should be considered.

3. United Nations Children's Fund

31. The United Nations Children's Fund is of the view that a global gathering focusing on racism, racial discrimination, xenophobia and related intolerance would need to address the enormous impact that such practices have on the well-being of children and the enjoyment of their rights, in accordance with the Convention on the Rights of the Child (General Assembly resolution 44/25). With 191 States parties to the Convention, it has reached nearly universal ratification, except for the United States of America and Somalia, which have not acceded to the Convention. Therefore, it follows that since the right of the child to non-discrimination, found in article 2 of the Convention, has been recognized worldwide, it could serve as a vehicle to bring the international community together to address issues of global concern.

32. It should be noted that several provisions in the Convention recognize specific rights of the child in the areas of human rights education and information and rights of minorities which are especially relevant to the World Conference. In particular, article 29 recognizes that the child's education should be directed to respecting human rights and within a spirit of understanding, peace and tolerance. Moreover, article 30 recognizes that children belonging to an ethnic, religious or linguistic minority, including indigenous children, should not be denied the right to enjoy their own culture, religion or language.

33. Another area that could be addressed is gender discrimination and the situation of girls. In this regard, an important reference is the Convention on the Elimination of All Forms of Discrimination against Women, which has been widely ratified.

II. Information received from Governments

A. Russian Federation

34. The Government of the Russian Federation reported that the Russian Constitution contains various provisions prohibiting the incitement of national, racial or religious hatred or incitement to discrimination, animosity and violence. Article 29 of the Constitution states that propaganda or campaigning inciting social, racial, national or religious hatred and strife is impermissible. The propaganda of social, racial, national, religious or language superiority is forbidden. The Penal Code establishes liability for incitement to racial or national hatred and discord (art. 74).

35. Additional guarantees in this respect are implicit in the obligation assumed by the State to protect the rights and liberties of individuals and citizens (art. 2 and art. 45, para. 1, of the Russian Constitution) and to guarantee the equality of rights of individuals, and in the fact that any restriction of their rights on racial, national, linguistic and religious grounds is forbidden (art. 19, para. 2). According to article 19, paragraph 2, of the Constitution:

> "The State shall guarantee the equality of rights and liberties regardless of sex, race, nationality, language, origin, property or employment status, residence, attitude towards religion, convictions, membership of public associations or any other circumstance. Any restrictions of the rights of citizens on social, racial, national, linguistic or religious grounds shall be forbidden."

36. Russia's new Penal Code provides for administrative and criminal penalties if the equality of citizens is violated on racial, national or other grounds.

37. Legislation on propaganda in favour of Fascist ideology is nearing enactment: in March 1997 the State Duma of the Federal Assembly of the Russian Federation adopted, on second reading, a draft law on prohibition of propaganda in favour of Fascism in the Russian Federation, in which Fascism is defined as "the ideology and practice of affirming the superiority and exclusivity of certain races and nations and discrimination against others as well as the

cult of brutality and coercion, the infringement of rights and freedoms and terror directed against political opponents".

38. The Government attaches special importance to the successful implementation in the Russian Federation of the Declaration and Plan of Action to Combat Racism, Xenophobia, Anti-Semitism and Intolerance, adopted by the Council of Europe in 1993.

39. Various non-governmental organizations and public movements are being established in the Russian Federation to counter the threat of the spread of racism, racial discrimination, xenophobia and anti-Semitism. The activities of the Anti-Fascist Committee and the Russian Jewish Congress may be cited as examples in this respect.

40. The Outline of National State Policy, aimed at preventing the emergence of discrimination on national and ethnic grounds, was adopted in 1996 by an Order of the President of the Russian Federation. The Outline is based on general principles and approaches to solving outstanding problems in the field of national relationships, namely:

(a) Equality of the rights and freedoms of individuals regardless of their nationality, language, attitude towards religion, membership of social groups or public associations;

(b) Equality of peoples;

(c) Guarantees of the rights of ethnic minorities and dispersed nationalities in accordance with the Constitution of the Russian Federation and the principles and norms of international law recognized by the Russian Federation;

(d) Assistance in the development of the national cultures and languages of the people of the Russian Federation;

(e) Prohibition of any form of restriction of the rights of citizens on the basis of national, linguistic, social or religious grounds.

B. Sweden

41. Concerning the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the Government of Sweden is of the view that the International Convention on the Elimination of All Forms of Racial Discrimination should constitute the framework for the Conference.

42. The Conference should not only focus on negative phenomena but also have a positive perspective and stand for the positive values of a society built on tolerance and respect for human rights, that is, respect for diversity, integration, pluralism, equal rights and opportunities.

43. The Conference should take a global and long-term perspective. However, it is also important to note that every country has its own specific history and, therefore, often the most effective measures to combat racism and xenophobia at the national level are those that take national experiences into account.

44. Internationally, the Conference should aim to increase cooperation between organizations (such as the various organizations and agencies of the United Nations, e.g., UNHCR, the Office of the United Nations High Commissioner for Human Rights, the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization, and regional organizations, e.g., the Council of Europe, the European Union, the Organization for Security and Cooperation in Europe, the Organization of African Unity and the Organization of American States, already active in this field and with a mandate related to the issues to be discussed. This should be the focus rather than creating any new mechanisms. Such organizations should be involved in the preparatory work as soon as possible.

45. Furthermore, an issue to be discussed could be how the Internet could be used in the combat against racism and xenophobia.

46. Another issue to be discussed could be the incentives for various manifestations against racism, for example, in the economic sphere and in entertainment.

47. It is important that non-governmental organizations become involved early in the preparations for the Conference, and that they are allowed to participate and contribute at preparatory meetings and at the Conference itself.

C. Turkey

48. The Government of Turkey reported that developing effective measures at the international level to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance is and should be one of the fundamental topics that the international community has to tackle so as to ensure universal protection and promotion of human rights.

49. Turkey's devotion to the cause of gathering unanimous and comprehensive international reactions to the resurgence of racism in its most subtle and cruel forms continues

unabated. The interest of Turkey in this cause stems from the fact that millions of Turkish citizens living abroad as foreign residents are a vulnerable group facing racism and discrimination daily. In a way, their material and mental agonies are a striking example of the urgency to react.

50. The Third Decade to Combat Racism and Racial Discrimination was launched in 1993, since the principal objectives of the previous two Decades had not been achieved. Turkey observes with dismay and concern that the Programme of Action for the Third Decade has not so far been fully implemented, for the same reason that doomed the two previous Decades to failure, that is, the lack of adequate resources. This unfortunate fact must be a serious concern for every Member State of the United Nations, United Nations bodies, the specialized agencies, other intergovernmental organizations and non-governmental organizations. Since human rights are universal and indivisible, the international community as a whole should pay the same attention to racism, which is among the most serious violations of human rights in the contemporary world, as it does to other forms of human rights violations. In fact, the implementation of the Programme of Action is a shared responsibility of the international community at large.

51. The Government of Turkey believes that if the Third Decade also fails to attain its objectives, it would be a significant setback for the United Nations in the important field of human rights.

52. Turkey is prepared to support every required action in order to give a new impetus to the Third Decade. It is essential that a focal point be established within the Office of the United Nations High Commissioner for Human Rights, which will be responsible for reviewing information concerning activities carried out within the framework of the Third Decade and making specific recommendations on such activities. On the other hand, cognizant of the fact that an increase in the voluntary contributions to the Trust Fund for the Programme of Action for the Third Decade is indispensable for the due implementation of the Programme of Action, Turkey plans to contribute to the Fund in 1998.

53. Turkey also supports the holding of a world conference on racism, racial discrimination, xenophobia and related intolerance as a means of giving further impetus to the Third Decade. The Government is of the opinion that such a conference will be instrumental, not only for much needed awareness-raising but also to review the progress made in the fight against racism, assess the effectiveness of the methods and mechanisms used so far and, if need be, develop new standards.

54. The Government equally supports the decision that the Commission on Human Rights would act as the preparatory committee for the World Conference. In view of this mandate, the Commission must embark on a preparatory process along the lines of a plan of action to be devised by the Commission itself. In sketching out this plan of action, the Commission should take into account the views of all concerned actors and mechanisms in the field, particularly those of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

III. Information received from intergovernmental organizations

Council of Europe

55. The Council of Europe and the secretariat of the European Commission against Racism and Intolerance (ECRI) submitted comments on the convening of a world conference on racism, racial discrimination, xenophobia and related intolerance.

56. The first Summit of Heads of State and Government of the Member States of the Council of Europe, held at Vienna in October 1993, gave new impetus to the organization's activities in the field of combating racism, xenophobia, anti-Semitism and intolerance. A wide-ranging European Youth Campaign on the subject was organized in 1994-1995 and ECRI was set up to strengthen legislative and policy protection against racial discrimination.

57. At the second Summit, held at Strasbourg, France, on 10 and 11 October 1997, the heads of State and Government of the 40 Council of Europe member States called for an intensification of the action against racism, xenophobia, anti-Semitism and intolerance and decided to strengthen the activities of ECRI. The Council of Europe has recently launched an Internet site on combating racism and intolerance, which can be consulted at the following address: www.ecri.coe.fr.

58. The Council of Europe intended to contribute to the preparation of the World Conference by organizing a major event along the lines of the conferences organized by the Council of Europe prior to the World Conference on Human Rights at Vienna and the Fourth World Conference on Women in Beijing.

59. ECRI members were nominated by their respective Governments for their high moral standing and recognized expertise in issues relating to racism and intolerance.

60. ECRI decided from the start that its work should be multidisciplinary. Legislation at the international and national levels, while important in the fight against racism and intolerance, is not sufficient. It must first be fully implemented and then backed up by a wide range of policy and other measures in all fields of life.

61. The most innovative of the ECRI methods is its country-specific approach. Since the problems of racism and intolerance differ from one country to the next, ECRI was of the view that effective solutions could only be identified after an in-depth analysis of the situation in each of the member States. ECRI therefore develops proposals that are tailored to each country's particular situation, taking account of specific national problems. In the course of its work, ECRI examines information provided by Governments and non-governmental bodies regarding the nature and scale of the problems, existing countermeasures and areas for improvement. As of early 1998, some 17 of the ECRI country-specific reports had been issued.

62. ECRI is also working on a series of general policy recommendations for the Governments of all member States. They cover the main areas of racism and intolerance and provide basic guidelines for the development of comprehensive national policies. The first ECRI general policy recommendation is a broad one covering legal and non-legal aspects. The second ECRI general policy recommendation focuses on the role of specialized bodies at the national level, such as ombudsmen or commissions, in combating racism and intolerance. The latest, to be issued in early 1998, concerns combating racism and intolerance against Roma/Gypsies.

63. The European Convention on Human Rights contains an anti-discrimination clause in its article 14, but this protection only applies to the rights set out in the Convention. The accessory nature of article 14 may explain why the European Court of Human Rights has not found a breach of article 14 as a result of racial discrimination in any of the cases it has dealt with thus far. ECRI has suggested that an additional protocol to the European Convention on Human Rights might be considered to provide wider protection against racial discrimination.

64. One of the major problems at the present time is how to control the spread of racist and other offensive material on the Internet. ECRI intends to use new technology for a resolutely more positive purpose: for the setting up of a database for information and consultation purposes and for providing a forum for contacts between all those working to combat racism and intolerance.

IV. Status of the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

65. In paragraph 27 of its resolution 52/111, the General Assembly strongly appealed to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Trust Fund for the Programme for Action for the Third Decade to Combat Racism and Racial Discrimination, and, to that end, requested the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions.

66. In paragraph 12 of the same resolution, the General Assembly requested the Secretary-General to include in his report to the Assembly at its fifty-third session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the United Nations regular budget and extrabudgetary resources.

67. The contributions made by the international community to the Trust Fund have remained below the levels hoped for. Few of the activities planned for the period 1994-1997 were therefore carried out. In the light of the resources available, the Office of the United Nations High Commissioner for Human Rights will strive to the utmost to ensure that the forthcoming activities are carried out. The current status of contributions to the Trust Fund is reflected in annex I to the present report.

V. Conclusions and recommendations

68. The convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance not later than the year 2001 will give an opportunity to provide an impetus for the forthcoming activities of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination.

69. As recommended by the Commission on Human Rights, these activities should be focused towards the preparatory process for the World Conference. Governments, specialized agencies, international and regional organizations, United Nations bodies and programmes, as well as non-governmental organizations, will have an important role to play in assisting the preparatory committee for the Conference.

70. The Committee on the Elimination of Racial Discrimination, the Subcommission on Prevention of Discrimination and Protection of Minorities and the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance are invited to undertake studies and to transmit their recommendations to the Commission at its fifty-fifth session. The Commission also recommended that the United Nations High Commissioner for Human Rights organize a series of seminars, symposiums and worldwide consultations in 1998, 1999, 2000 and 2001 on racism, racial discrimination, xenophobia and related intolerance.

71. To implement the activities of the Programme of Action for the Third Decade, concrete proposals on how to ensure the financial and personnel resources required, including through the United Nations regular budget and extrabudgetary resources, should be considered by the General Assembly.

Notes

[1] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23).

[2] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 18* (A/53/18).

[3] Ibid., *Fifty-second Session, Supplement No. 18* (A/52/18).

Annex I

Status of the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

A. Provisional statement of income and expenditure for the biennium 1996-1997, as at 31 December 1997

(United States dollars)

Income	
Voluntary contributions	20 000
Interest income	12 010
Total income	**32 010**
Expenditure	
Total direct expenditure	37 689
Programme support costs	4 900
Total expenditure	**42 589**
Excess (shortfall) of income over expenditure	(10 579)
Prior period adjustments	(10 000)
Net excess (shortfall) of income over expenditure	**(20 579)**
Reserves and fund balances, beginning of period	220 202
Reserves and fund balances, end of period	199 623

B. Statement of assets and liabilities as at 31 December 1997

(United States dollars)

Assets	
Cash	221 516
Total assets	**221 516**
Liabilities	
Unliquidated obligations	9 547
Inter-Fund balance payable	12 346
Total liabilities	**21 893**
Reserves and Fund balances	
Cumulative surplus (deficit)	**199 623**
Total reserves and fund balances	**199 623**
Total liabilities, reserves and fund balances	**221 516**

Annex II

Contributions received from Governments since the establishment of the Trust Fund, as at May 1998*

(United States dollars)

Country	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*
Austria	..	1 000	..	..	..	..	..	5 000	..	..	..	..	..	..
Bahamas	..	..	500	500	..	..	..	..	..	..	..	..	..	..
Bangladesh	..	..	1 000	..	..	..	..	448.85	..	..	..	..	..	..
Belgium	1 500	..	..	..	..	..	..	..	..	..	..	..	..	..
Cameroon	..	2 711	..	..	906	..	..	..	..	..	..	..	..	..
Canada	..	2 000	..	..	..	..	..	..	..	..	..	..	..	..
China	..	..	10 000	..	..	..	..	..	..	..	..	..	..	..
Denmark	8 000	..	..	..	..	..	..	..	..	..	..	..	..	..
Dominica	..	..	..	..	..	..	..	1 993	2 002	..	..	..	..	..
Finland	5 000	..	..	..	..	..	..	..	..	..	..	..	..	..
Germany	4 000	..	..	..	..	..	..	..	..	..	..	..	..	..
India	..	..	10 000	..	..	..	..	..	..	..	..	..	..	..
Indonesia	..	..	..	..	2 500	..	..	..	..	..	..	..	..	..
Italy	..	4 000	..	10 000	..	..	..	..	..	..	..	..	..	..
Jamaica	..	..	..	..	500	..	..	..	..	..	..	..	..	..
Japan	..	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000
Libyan Arab Jamahiriya	..	..	..	..	10 000	..	..	..	6 000	..	..	..	..	..
Luxembourg	..	..	..	..	..	..	5 934	..	..	..	..	..	..	..
Malaysia	..	..	..	..	..	..	..	500	..	..	..	..	..	..
Netherlands	..	5 000	..	..	..	..	..	..	..	..	..	..	..	..
Nigeria	..	..	..	..	..	..	..	..	..	2 000	..	..	..	..
Norway	10 000	10 000	..	..	..	..	..	..	..	73 332	78 762	..	..	..
Republic of Korea	..	..	..	..	3 000	..	..	..	..	..	..	..	..	..
Saint Vincent and the Grenadines	..	..	..	..	..	..	..	1 000	..	..	..	..	..	..
Spain	1 000	..	..	..	..	..	..	..	..	..	..	..	..	..
Swaziland	..	..	..	..	760	..	..	..	..	..	..	..	..	..
Sweden	5 000	..	..	..	..	..	..	..	..	..	7 997	..	..	..

Country	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*
Syrian Arab Republic	..	..	1 000	..	..	..	..	..	..	..	..	..	..	..
Thailand	..	..	..	..	..	..	..	1 000	..	..	..	..	..	..
Tunisia	..	..	..	..	..	2 000	..	..	2 000	..	..	..	..	..
Turkey	..	..	..	..	..	..	..	..	..	..	..	..	..	5 000
Total	**34 500**	**34 711**	**32 500**	**20 500**	**27 666**	**12 000**	**15 934**	**19 941.85**	**20 002**	**85 332**	**96 759**	**10 000**	**10 000**	**15 000**

[*] Annex prepared on the basis of information received by the Office of the United Nations High Commissioner for Human Rights.